

CATEGORICAL EXCLUSION/DECISION RECORD

Project Name: Oregon Dept. of Forestry (ODF) R\W Grant Modification, OR 44981 (CE OR116-08-28)

Location: See description below.

BLM Office: Ashland R.A., Medford District. Phone # (541) 618-2310

DESCRIPTION OF THE PROPOSED ACTION:

The proposed action is to allow ODF to make changes to their lookout facility at Tallowbox Mtn. due to damage inflicted by vandalism in December of 2006. At that time there was extensive damage to the lookout itself and the connected facilities. All of the authorized site users received some level of damage. This included ODF, Southern Oregon Regional Communications (SORC), Applegate Broadband and the BLM. Tallowbox Mtn. is located on public land in Section 11, T. 39 S., R. 4 W., W. M. and serves as an important site for wildfire detection, and commercial and emergency communications in the Applegate Valley of southwest Oregon. The proposed action is to remove the remainder of the old ODF lookout (it was determined to be unsafe) and replace it with a new metal lookout utilizing the same footprint. In doing this work SORC would replace their building which "nestles" under the elevated lookout structure. In order for SORC and Applegate Broadband to continue to operate during the removal/rebuild of the lookout, they will need to set up two small temporary metal towers at the site for their communication needs.

Required Project Design Features

1. All activities will take place in existing footprint of disturbance, tower site, graveled parking area, and designated staging area (located in a helicopter landing site in Section 11, T. 39 S., R. 4 W., W.M.) located just off of road 38-3-33, except as approved by Ashland Resource Area botanist.
2. The removal of the damaged tower will meet all requirements established by Oregon Department of Environmental Quality.
3. All demolition/construction debris (including nails, bolts, and metal) and construction materials will be removed from the project and staging areas.
4. Giant death camas (*Zigadenus exaltatus*) is present in area surrounding the project site; this area *excludes* the previously disturbed parking area, tower footprint, road and the specific locations where temporary towers are to be placed. A BLM botanist must be on-site during installation of the two temporary radio towers to assess where guidewires should/can be anchored to avoid disturbance of plants.
5. No debris burning is allowed outside of the designated staging area (described above).

PLAN CONFORMANCE

The proposed action is in compliance with and is tiered to the *Medford District Record of Decision and Resource Management Plan (RMP)* as amended by the *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from the Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl* (USDI 2007). The 1995 Medford District Resource Management Plan incorporated the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (Northwest Forest Plan) (USDA and USDI 1994).

The proposed action is in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, and the Archaeological Resources Protection Act of 1979.

CATEGORICAL EXCLUSION REVIEW

This proposed action qualifies as a categorical exclusion under 516 DM 11.9 E (16). The proposed action has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2 apply. The proposed action will:

<u>Yes</u>	<u>No</u>	<u>Categorical Exclusion Exception</u>
()	(X)	1. Have significant adverse effects on public health or safety.
()	(X)	2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resource; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
()	(X)	3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)] not already decided in an approved land use plan.
()	(X)	4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.
()	(X)	5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
()	(X)	6. Have a direct relationship to other actions with individually insignificant, but significant cumulative environmental effects. (40 CFR 1508.7 and 1508.25(a)).
()	(X)	7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
()	(X)	8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.
()	(X)	9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
()	(X)	10. Have disproportionate significant adverse impacts on low income or minority populations (Executive Order 12898).
()	(X)	11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).
()	(X)	12. Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Joe Hoppe	Realty Specialist	4-17-2008
Prepared by	Title	Date

Kristi Mastrofini	Environ. Coord.	4/17/08
Reviewed and Edited by	Title	Date

SUMMARY OF FINDINGS

The proposed action has been reviewed against the twelve criteria listed above for an exception to a categorical exclusion and does not fall under any exception as identified in 516 DM 6, Appendix 2. Therefore, this project is categorically excluded from NEPA documentation under 516 DM 11.9, E (16).

DECISION

Based on this NEPA CATEGORICAL EXCLUSION REVIEW, I have determined that the proposed action involves no significant impact to the human environment and that no further environmental analysis is required.

It is my decision to approve the requested ODF site modification work to r/w grant (OR 44981) as described above in the Proposed Action.

Approved by

Title

Date

Steve Rasmussen
for John Gerritsma

Acting FM

5/30/08